

VOCA General Crimes Grant

Victims of Crime Act

APPLICATION FOR FFY 2005 FUNDING

Funding Period: January 1, 2006 - September 30, 2006

Application Due: Wednesday, November 30, 2005

Administered by the
**Office of Crime Victims
Advocacy**



Office of Crime Victims Advocacy
906 Columbia St. SW
P.O. Box 48304
Olympia, WA 98504-8304



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Application Due: November 30, 2005

**NO APPLICATIONS WILL BE ACCEPTED AFTER NOVEMBER 30, 2005
WITHOUT PRIOR WRITTEN APPROVAL FROM THE VOCA PROGRAM MANAGER**

This application is available in both PDF and Excel formats on
OCVA's web page at: www.ocva.wa.gov

This project is supported by a FFY 2005 Grant awarded by the Office for Victims of Crime, U.S. Department of Justice. Points of view in this document are those of the author, and do not necessarily represent the official position or policies of the U.S. Department of Justice.

FFY 2005 VOCA GRANT APPLICATION

The VOCA Grant Application includes the following:

- VOCA Application Cover Sheet
- Attachment A – Meeting Sign-In Sheets from Each of the VOCA Regional Planning Meetings.
- Attachment B – Memorandum of Agreement. This document must be customized for your region and signed by all agencies, organizations, or individuals participating in the VOCA Crime Victim Service Center.
- Attachment C – Services to Victims of General Crimes
- Attachment D – Accessible and Appropriate Services
- Attachment E – Comprehensive Services in All Areas of the VOCA Region
- Attachment F – Volunteers
- Attachment G – Program Budget Detail Worksheet
- Attachment H – Budget Narrative
- Attachment I – Program Match Detail Worksheet. All agencies, organizations, or individuals contributing match must sign this document.
- Attachment J - Assurances
- Attachment K – Certifications Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Attachment L – Equal Employment Opportunity Plan
- Attachment M – National Historic Preservation Agreement
- Attachment N – Checklist for FFY 2005 VOCA Grant Application. This checklist must be reviewed, marked, and submitted with the complete VOCA Grant Application.

Please send one unbound original and one copy of your completed application to OCVA:

Office of Crime Victims Advocacy
906 Columbia Street SW, PO Box 48304
Olympia, Washington 98504-8304
800-822-1067 phone ocva@cted.wa.gov email

To the attention of the OCVA program coordinator serving your VOCA geographic region:

Anita Granbois, VOCA Regions: One, Three, Six, Nine, Eight, and Twelve
Chris Fenno, VOCA Regions: Two, Four, Five, Eleven, and Thirteen
Grace Call, VOCA Regions: Seven and Ten

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I. Introduction

In 1984, the Victims of Crime Act (VOCA) established the Crime Victims Fund (Fund) in the U.S. Treasury and authorized the Fund to receive deposits of fines and penalties levied against criminals convicted of federal crimes. This Fund provides the source of funding for carrying out all of the activities authorized by VOCA.

Each year, the Office for Victims of Crime (OVC) makes annual VOCA crime victim assistance grants from the Fund to states. The primary purpose of these grants is to support the provision of services to victims of crime throughout the Nation. For the purpose of this application, services are defined as those efforts that (1) respond to the emotional and physical needs of crime victims; (2) assist primary and secondary victims of crime to stabilize their lives after a victimization; (3) assist victims to understand and participate in the criminal justice system; and (4) provide victims of crime with a measure of safety and security such as boarding-up broken windows and replacing or repairing locks.

The VOCA Grant is awarded to communities by the Department of Community, Trade, and Economic Development's Office of Crime Victims Advocacy to support Crime Victim Service Centers in their advocacy efforts to

victim/survivors of assault, burglary, child abuse, drunk and drugged driving, homicide, identity theft, kidnapping, property crimes, and others.

This application details the process to procure funding from the Washington State VOCA Formula Grant for victims of general crimes, a component of the Victims of Crime Act (VOCA).

For the purpose of this application, a crime victim is a person who identifies that s/he has suffered physical, financial, or emotional harm as a result of the commission of a general crime. General crimes may include, but are not limited to: assault, burglary, child abuse, drunk and drugged driving, homicide, identity theft, kidnapping, property crimes, and others. Services to victims of domestic or sexual violence are not eligible through this application.

This formula grant application provides funds to thirteen service regions (Appendix A) in Washington to create Crime Victim Service Centers through collaboration and teamwork at the local level. OCVA recognizes that victims are best served when the core advocacy services: 24-hour crisis intervention, legal advocacy, systems advocacy, and information and referral are available statewide to victims of general crimes.

I(A). Services to Victims of DV/SA

VOCA funds to support services to victim/survivors of sexual and domestic violence are distributed independently of this application. This application will only fund services to victims of crimes that are not domestic or sexual violence. The funds distributed through this application are not intended to supplant the existing sexual assault and domestic violence VOCA distribution plans. It is not uncommon that victims of domestic or sexual violence are also victims of general crimes. It is expected, however, that when victim/survivors present to a Community Sexual Assault Program (CSAP) or to the local domestic violence service provider that each victim/survivor receive comprehensive services or appropriate referrals for those issues directly related to the domestic and sexual violence incident(s).

I(B). Key Goal of the VOCA Grant

The goal of the VOCA Grant is to support basic intervention and crisis services to victims of general crimes through the funding of regional Crime Victim Service Centers.

I(C). Crime Victim Service Centers

The Crime Victim Service Centers are intended to meet the needs of victims of general crimes

in the State of Washington. Crime Victim Service Centers may look different in each region. In one region, a Service Center may be a coalition of service providers who link resources to make comprehensive, culturally appropriate services available to crime victims within their region—more of a "virtual center". Meaning, the Center is not a physical location, but a collaborative effort among service providers within a region to provide comprehensive services to victims of general crimes. In another region, an existing organization may be interested in becoming a Victim Service Center and expand its mission to include serving victims of general crimes.

The idea behind calling these collaborative relationships a Center is to build an identity and structure for service delivery to general crime victims. A Crime Victim Service Center logo may be one way to reinforce the Center concept. The logo would provide a visual way to identify all affiliated service providers. Each service provider that is part of the collaborative effort could use the logo in a variety of ways. It could display the logo at its facility, print the logo on brochures, or use it as a part of a phone book listing. The logo could also help police, courts, and other service providers know where to refer crime victims for services. The logo might also help victims to locate available services.

Regardless of the organizational structure, the Crime Victim Service Center will be a collaborative and regional effort to ensure the availability of both immediate and sustained support for adults, adolescents, and child victims of general crimes.*

The regional concept provides an infrastructure to deliver services for victims of general crimes. The regional concept encompasses the values of continuity, preserving resources within a community, and providing predictable funding.

This application will ask each region to explain how they will develop a Crime Victim Service Center and how they will work with others within the region to ensure the availability of both immediate and sustained support for adults, adolescents, and child victims of general crimes.

I(D). Crime Victim Service Center Principles

The following four principles will guide the development of Crime Victim Service Centers (CVSC). A regional Center must be:

- Victim-centered. Victim-centered means that the best interests of each victim are at the forefront of the CVSC mission. When a CVSC is victim-centered, each victim's needs take precedence over system needs and each victim chooses what s/he needs.
- Available to provide services to victims whether or not they report the crime to state or federal law enforcement.
- Available to provide services to victims whether or not the case is being prosecuted.
- Accessible and appropriate in all services. This means that services are offered in spaces that are accessible and appropriate for those with disabilities, translation and interpretation services are available 24-hours/day, and the capacity of the CVSC is representative (on all levels) of populations in the region.

As long as a service provider adheres to these principals, they can participate in the Crime Victim Service Center and the community plan. The goal is for the Service Center to be a collaborative effort that reflects the needs of victims of general crimes and the outlined strategies for meeting these needs within the region.

* In this application, children are defined as those less than 13 years old and adolescents are those 13 years-17 years old. Mandatory reporting laws still apply to both groups, but services may look different. Please consider the unique needs of each of these populations.

II. Community Participants

II(A). Participants

This grant requires that all members of the community who wish to participate in the planning process be allowed to do so. The Office of Crime Victims Advocacy will send notification of the first facilitated meeting to members of each region statewide (Appendix B). In addition to these invitations, each community is strongly encouraged to solicit participation from health care providers, educational services, religious organizations, judiciary, pretrial, probation, parole, tribes, other marginalized populations, and any other stakeholders who are essential to the success of the Crime Victim Service Center.

Pre-existing mechanisms for community planning, such as task forces or committees **may not** be used to plan for this application.

During the months of July and August, OCVA staff visited each region to provide an overview of VOCA funding to victims of general crimes. If you were unable to attend one of these meetings, a videotaped copy of the last presentation is available. Please contact the OCVA office at 1-800-822-1067 to get a copy of the recorded meeting.

II(B) Supplemental Participation and Open Meetings

Planning for the VOCA Grant application must be conducted by an open meeting process. OCVA has hired Technical Assistance for Community Services (TACS) to facilitate up to three (3) meetings for each of the thirteen (13) VOCA geographic regions. The strategies for each of these meetings follows.

Meeting I:

Focus of the meeting will be reviewing crime victim needs within the region (using info in the Strategic Plan for Crime Victim Services as base for discussion), inventorying existing resources, and identifying additional resources needed to address core requirements for a Crime Victim Service Center contract. The facilitator will review the goals, activities, and timeline for the process, including the role of the facilitator.

Once initial ground rules and meeting structure are clear, the facilitator will encourage participants to reflect on the needs and resources which have been identified, and encourage discussion of the key capacities which will be needed in a lead agency for that region. Next the facilitator will invite suggestions of options for lead agency and subcontract service providers.

Meeting 2:

The facilitator will present the options described in the discussion draft and ask the group whether there are other options which should be discussed in addition to those presented in the draft. The facilitator will encourage discussion of all the identified options, focusing on strengths and limitations of each option. The facilitator will test agreement with the proposed options and assist the group to modify the proposals until a preferred option emerges. The facilitator will test out the level of agreement with the preferred option. If there appears to be substantial support for a particular option, the facilitator will ask representatives of the proposed lead agency and subcontractors to agree to meet before Meeting 3 to work out details of their collaboration. The proposed lead agency will be asked to convene the meeting and take primary responsibility for preparing a description of the proposed collaborative plan to be discussed at Meeting 3.

Meeting 3:

The facilitator will provide opportunities for in-depth discussion of the proposed plan, assist with modifications if needed, and then test the level of agreement among participants. The facilitator will assist the group and lead agency with modifications to the proposal as needed. Final timeline for submission of the proposal to OCVA will be reviewed.

II(C). Minimum Required Participation

The application must include Sign-in Sheets from each VOCA Grant community meetings. Sign-in sheets will be provided at each meeting by the facilitator and given to the organization identified as the lead agency to submit with the application as **Attachment A**.

Each community is responsible for determining its own methods of decision making for this application. Purposeful exclusion of an individual or agency from the planning process may be viewed as grounds for rejection of a submitted application.

II(D). Memorandum of Agreement

Each VOCA region will draft a memorandum of agreement (MOA). This MOA must:

1. Identify each of the organizations, agencies, or individuals participating in the Crime Victim Service Center. Participation may be defined to include those receiving funds for service activities or those contributing parts of the required match.
2. Summarize the organizational structure for the Crime Victim Service Center in the region.

3. Detail the roles and responsibilities for each participating organization, agency, or individual.
4. Outline any resources outside of the VOCA funds to be contributed to the Crime Victim Service Center.
5. Include a signature from an individual at each organization or agency who is authorized to enter into a contract/agreement on behalf of the organization or agency. By signing the MOA, this individual witnesses that:
 - a. S/he agrees with the content and outline for the Crime Victim Service Center;
 - b. S/he has seen a copy of the proposed budget; and,
 - c. S/he commits to working to ensure the success of the Crime Victim Service Center in the respective VOCA region.

The Memorandum of Agreement will be included in the application as **Attachment B**.

II(E). Maximum Number of Applications Allowed per Region

Each geographical region can only submit one application. The application must include proposed activities for providing core services

to victims of crime through the establishment of a Crime Victim Service Center.

Competing applications will not be accepted.

In the event that those participating in the community planning meeting cannot agree on a strategy by the end of the third meeting, the following steps will be taken:

1. The facilitator will close the third meeting by re-stating the issues of dissention and scheduling a fourth meeting based on the availability of those participating in the third meeting;
2. The facilitator will contact the appropriate OCVA program coordinator who will organize OCVA staff members to attend a fourth and final community meeting;
3. At the fourth meeting, community members will present the conflicting proposals or issues;
4. OCVA staff in attendance will review the information, make a determination, and present its final decision at that fourth meeting.

III. Community Activities

III(A). Core VOCA Grant Activities

This application specifies the following core service areas for which, at a minimum, the Service Centers must support:

- **24-hour crisis intervention:** an immediately available 24-hour personal response provided in a variety of settings to an individual presenting a crisis related to a crime.
- **Legal advocacy:** acting on behalf of and in support of victims of crime to ensure their interests are represented and their rights upheld. These services may include advocacy on behalf of crime victims; accompaniment to criminal justice offices and court; transportation to court; child care or respite care to enable victim to attend court; notification of victims regarding trial dates, case disposition information, and parole consideration procedures; and assistance with victim impact statements.
- **Systems advocacy:** Improving service delivery and options provided by institutions, programs, criminal or civil legal systems, and other service providers through individual advocacy and coordination of such services for a

particular victim of crime. Furthermore, these services assist crime victims with managing practical problems created by the victimization; such as, acting on behalf of the victim with other service providers, creditors, or employers; assisting the victim to recover property that is retained as evidence; assisting in filing for, and obtaining, compensation benefits; and helping to apply for public assistance.

- **Information and referral:** Responding 24-hours a day in person or by phone to direct requests for information and assistance related to a crime.

III(B). Eligible VOCA Grant Activities

Once a strategy has been decided for providing the core services, a Crime Victim Service Center may also develop any of the following activities into the regional services for victims of general crimes:

- **Medical advocacy:** Acting on behalf of and in support of victims of crime on a 24-hour basis to ensure that their interests are represented and their rights upheld within the medical setting.
- **Support groups:** Regular facilitated meetings of victims and/or secondary victims of crimes with a supportive and educational focus.

- **Community outreach** and outreach to victims of general crimes: Informing the community and increasing awareness and expertise about issues affecting victims of crime. VOCA funds may be used to support presentations that are made in schools, community centers, or other public forums that are designed to identify crime victims and provide or refer them to needed services. Specifically, activities and costs related to such programs including presentation materials, brochures, and newspaper notices can be supported by VOCA funds.
- **Therapy:** A professional relationship within a theoretical framework that involves a specified helper gathering, systematizing, and evaluating information, and using techniques to address the effects of crime(s).

III(C). Ineligible VOCA Grant Activities

The following services, activities, and costs, although not exhaustive, cannot be supported with VOCA funding for victims of general crimes:

- **Lobbying and Administrative Advocacy.** VOCA funds cannot support victim legislation or administrative

reform, whether conducted directly or indirectly.

- **Perpetrator Rehabilitation and Counseling.** Subrecipients cannot use VOCA funds to offer rehabilitative services to offenders. Likewise, VOCA funds cannot support services to incarcerated individuals, even when the service pertains to the victimization of that individual.
- **Needs Assessments, Surveys, Evaluations, Studies.** VOCA program funds may not be used to pay for efforts conducted by individuals, organizations, task forces, or special commissions to study and/or research particular crime victim issues.
- **Prosecution Activities.** VOCA funds cannot be used to pay for activities that are directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency, such as witness notification and management activities and expert testimony at a trial. In addition, victim witness protection costs and subsequent lodging and meal expenses are considered part of the criminal justice agency's responsibility and cannot be supported with VOCA funds.
- **Fundraising Activities.**

- **Indirect Organizational Costs.** The costs of liability insurance on buildings; capital improvements; security guards and body guards; property losses and expenses; real estate purchases; mortgage payments; and construction may not be supported with VOCA funds.
- **Property Loss.** Reimbursing crime victims for expenses incurred as a result of a crime such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills is not allowed.
- **Most Medical Costs.** VOCA funds cannot pay for nursing home care (emergency short-term nursing home shelter as described in the VOCA Program Guidelines is allowable), home health-care costs, in-patient treatment costs, hospital care, and other types of emergency and non-emergency medical and/or dental treatment. VOCA victim assistance grant funds cannot support medical costs resulting from a victimization, except for forensic medical examinations for sexual assault victims. However, costs for forensic medical exams for sexual assault victims are not eligible through this VOCA application addressing services to victims of general crimes.
- **Relocation Expenses.** VOCA funds cannot support relocation expenses for crime victims such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments. However, VOCA funds may be used to support staff time in locating resources to assist victims with these expenses.
- **Administrative Staff Expenses.** Salaries, fees, and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals unless these expenses are incurred while providing direct services to crime victims.
- **Development of Protocols, Interagency Agreements, and Other Working Agreements.** These activities benefit crime victims, but they are considered examples of the types of activities that subrecipients undertake as part of their role as a victim services organization, which in turn qualifies them as an eligible VOCA subrecipient.
- **Costs of Sending Individual Crime Victims to Conferences.**
- **Activities Exclusively Related to Crime Prevention.**

III(D). Specialized Focus – Services to Victims of General Crimes

Each community application will be required to identify and address existing responses and gaps in services to victims of general crimes. Community plans may identify and address priority areas or crimes of concern as they relate directly to local demographics and population. **Attachment C** is to be used for this section.

III(E). Specialized Focus – Accessible and Appropriate Services

Those agencies, organizations, or individuals participating in the Crime Victims Service Centers are required to provide or arrange for qualified interpretive and/or translation services to Limited English Speaking (LES)/Limited English Proficient (LEP) and/or hearing impaired/deaf persons pursuant to this Agreement, when interpreter services are necessary. **Attachment D** is to be used for this section.

III(F). Comprehensive Services in Each Area of the VOCA Region

The VOCA funding requires each Crime Victim Service Center to create a service plan that will work in all areas of the region—from the most urban to the most remote. Please outline how

your VOCA region will announce and support general crime victims. **Attachment E** is to be used for this section.

III(G). Use of Volunteers

Each Crime Victim Service Center must utilize volunteers. Please outline how your Crime Victim Service Center will utilize volunteers and attach as **Attachment F**. In addition, please be sure and complete the Volunteer Section of the VOCA Match Detail to capture the in-kind services of these volunteers.

III(H). Background Checks for Persons with Access to Victims

Those agencies providing direct services to victims of general crimes shall initiate criminal history background checks pursuant to RCW 43.43.832, 43.43.834, and 43.20A.710 for all employees, volunteers, subcontractors, and other persons who may have unsupervised access to children, developmentally disabled persons, or vulnerable adults. Such persons shall not have unsupervised access to children, developmentally disabled persons, or vulnerable adults until a satisfactory background check is completed and documentation qualifying the individual for unsupervised access is returned to the participating agency or organization. If a non-lead agency receives VOCA funds through

this application and provides direct services to children, developmentally disabled persons, or vulnerable adults, the non-lead agency will be responsible for providing background checks to the lead agency.

Funding

IV(A). Local Distribution

The amount of funds available per VOCA geographical region is listed as Appendix C.

IV(B). Start Date for Funding

Completed applications received by November 30, 2005, will be issued a contract with a beginning date of January 1, 2006. An automatic extension will be granted on or about September 1, 2006 and will end on September 30, 2007. Applications will be reviewed as received, and contracts will be developed after approval of the community application.

NO APPLICATIONS WILL BE ACCEPTED AFTER NOVEMBER 30, 2005 WITHOUT PRIOR WRITTEN APPROVAL OF THE VOCA PROGRAM MANGER.

Applications receiving approval for submission later than November 30, 2005 may have a contract start date after January 1, 2006.

IV(C). Non-Supplantation of Funds

The funds from the VOCA Grant must be used to supplement existing funds for program activities. They cannot replace (supplant) non-federal funds that have been appropriated for the purpose of providing services to victims of crime. The VOCA Grant funds must be used to expand or enhance a current program or service, or create a new program or service.

This non-supplantation requirement applies only to state and local public agencies; i.e., law enforcement, prosecution and governmental victim services agencies. It does not apply to nonprofit, non-governmental victim services programs.

Violation of the non-supplantation requirement can result in a range of penalties, including suspension of future funds under this grant, recoupment of monies provided under this grant, and civil and/or criminal penalties.

V. Local Grant Administration

V(A). Administrative Structure

OCVA will contract with only one agency within a region. This agency will serve as the lead agency. This agency will complete and submit **Attachment G**, Contracting Agency Information. To best accommodate the needs of each local community, this agency may deliver direct services or contract with other agencies to provide services. An example of this designation would be one agency in the region contracts with OCVA to administer the contract for all other agencies receiving VOCA funds. The lead administrative agency will enter into a Memorandum of Agreement (MOA) with the other agencies providing services in the region as described on page six of this application.

V(B). Responsibilities of Lead Administrative Agency

Before communities designate a lead administrative agency, we encourage you to review the structure of that agency to ensure its fiscal and managerial capacity. The management of contracts includes, but is not limited to, timely submittal of vouchers and reports, and negotiation of contracts and amendments, if appropriate.

The lead administrative agency will be responsible for all requests for reimbursements, subcontracting, establishment of proper accounting procedures and audit trail, provision of required reports and statistics. If the lead administrative agency administers funds for another agency or agencies, the lead administrative agency will be required to submit progress reports that combine the data from all non-lead agencies.

V(C). Responsibilities of Non-Lead Agency

An agency is designated as a non-lead agency if it receives VOCA funds and does not contract with OCVA.

The non-lead agency will be responsible for timely submittal of billing documentation and reporting to the lead administrative agency. The non-lead agency must assist the lead administrative agency in monitoring the activities for the VOCA Formula contract.

Each non-lead agency receiving funds from this VOCA grant will be required to enter into a memorandum of agreement with the lead administrative agency.

V(D). Administrative Costs

The VOCA Grant does not allow for a general “Administrative Costs” category at the local level. However, project related administrative costs can be funded as specific line items in the application budget. As shown below, rent (for space cost associated with project staff), staff salaries, supplies and other costs can be prorated and line itemized in the budget. Further explanation of these costs can be found in Appendix D.

Example:

Unacceptable

Administration or Indirect/Overhead	\$2,000
-------------------------------------	---------

Acceptable

0.02 FTE Executive Dir.	\$ 800
0.02 FTE Accountant	\$ 300
Fringe Benefits	\$ 200
Goods and Services	
Postage	\$ 200
Copying	\$ 500

The VOCA Grant does set limits on certain goods and services. Equipment costs may not exceed \$5,000 for any one item.

A-133 expenses are eligible audit costs for the lead agency if the lead agency receives \$500,000 or more in federal funds from all sources in the organization’s fiscal year. These costs may be included under Goods & Services. However,

the fee charged to the VOCA Grant must be equal to the VOCA Grant’s portion of total federal funding in the agency. The *total* cost of the A-133 Audit *may not* be charged solely to the VOCA Grant.

Please complete and submit the Budget Detail Worksheet, **Attachment G**, and the Budget Narrative, **Attachment H**.

VI. Budget Match

VI(A). Match Requirements

The VOCA Grant requires recipients to match the total fiscal year award. Because of this, each community plan will be required to provide a project match as indicated in Appendix D. Each community plan will be considered one project and the match is provided as part of your community project. The participating service providers must determine how the match will be met for your community plan. For example, the match may be shared equally between all partners or one agency may provide the entire match for your regional project. The agency or agencies providing the project match must complete and sign **Attachment I**.

VI(B). Categories of Match

Cash or in-kind services may be used as match. In-kind match includes: Donations of office supplies, workshop or classroom materials, expendable equipment, or workspace. In order for cash or in-kind services to be applied toward the match for this VOCA grant, the service must be an eligible VOCA activity or part of the requirements included in this application.

The monetary value of time contributed by professional and technical personnel and other skilled and unskilled labor if the services they provide are an integral and necessary part of the funded project.

VI(C). Value of Match

The value placed on loaned or donated equipment may not exceed its fair rental value. The value placed on donated services must be consistent with the rate of compensation paid for similar work in the organization or the labor market. Fringe benefits may be included in the valuation. Volunteer time may be valued at an hourly wage determined by the local community, but basis for wage must be documented. The value of donated space may not exceed the fair rental value of comparable space. All value assessments must be documented. Any value assessments that

appear unreasonably high or low will be open to review by the Office of Crime Victims Advocacy.

VII. Reporting Requirements

VII(A). Data Collection

Agencies receiving funds for direct services must report the numbers of persons served detailing the nature of victimization, number of persons seeking services who could not be served, and demographic information on a form to be provided by OCVA. It is anticipated that the data collection and reporting requirements will be submitted electronically through the OCVA Infonet collaborative project with the Department of Social and Health Services (DSHS). This electronic format is such that it will incorporate requirements for VOCA and the other DSHS and CTED victim service contracts.

VII(B). Confidentiality

Confidentiality of client-counselor and victim-advocate information must be kept in accordance to state and federal law.

VII(C). Confidentiality of Information

Except as otherwise provided by federal law, no recipient of funds under VOCA shall use or reveal any research or statistical information furnished under this program by any person and identifiable to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with VOCA. Such information, and any copy of such information, shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence for use for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding.

These provisions are intended, among other things, to ensure the confidentiality of information provided by crime victims to counselors working for victim services programs receiving VOCA funds. Whatever the scope of application given this provision, it is clear that there is nothing in VOCA or its legislative history to indicate that Congress intended to override or repeal, in effect, a state's existing law governing the disclosure of information which is supportive of VOCA's fundamental goal of helping crime victims. For example, this provision would not act to override or repeal, in effect, a state's existing law pertaining to the mandatory reporting of suspected child abuse.

See Pennhurst School and Hospital v. Halderman, et al., 451 US 1 (1981).

Furthermore, this confidentiality provision should not be interpreted to thwart the legitimate informational needs of public agencies. For example, this provision does not prohibit a domestic violence shelter from acknowledging, in response to an inquiry by a law enforcement agency conducting a missing person investigation, that the person is safe in the shelter. Similarly, this provision does not prohibit access to a victim service project by a federal or state agency seeking to determine whether federal and state funds are being utilized in accordance with funding agreements.